

# State of South Dakota

## EIGHTY-FIRST SESSION LEGISLATIVE ASSEMBLY, 2006

400M0326

### SENATE BILL NO. 36

Introduced by: The Committee on Health and Human Services at the request of the  
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to interpreters for the  
2 deaf.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-36A-11 be amended to read as follows:

5 1-36A-11. The Department of Human Services shall establish a review panel, which shall  
6 meet at least semiannually, to review and assign interpreter qualification levels based upon a  
7 performance review ~~before~~ by the panel, a review of certification issued by another state or  
8 territory or a review of certification issued by a nationally administered examination. The review  
9 panel shall consist of ~~five individuals~~ three persons who are fluent in American sign language,  
10 signed English, or a combination of both. ~~Three individuals~~ At least one of these persons shall  
11 be deaf or hard of hearing; and ~~two individuals shall be~~ at least one person shall be a Level V  
12 South Dakota certified interpreters interpreter. ~~All individuals serving on the review panel shall~~  
13 ~~have successfully completed the evaluators' training based on the National Association for the~~  
14 ~~Deaf Interpreter Assessment Evaluator's Manual.~~ The department shall maintain, and publish,  
15 and make available, upon request, a registry of all certified interpreters and their respective



1 levels of qualification.

2 Section 2. That § 1-36A-12 be amended to read as follows:

3 1-36A-12. The Department of Human Services may promulgate rules pursuant to chapter  
4 1-26 to establish interpreter certificate qualifications, establish continuing education  
5 requirements, and may establish separate interpreter certification qualifications for ~~provisional~~  
6 ~~certification, as well as for~~ interpreters serving in medical, educational, or legal settings.

7 Section 3. That § 1-36A-13 be amended to read as follows:

8 1-36A-13. The fund for certification of interpreters for the deaf is hereby created in the state  
9 treasury. All fees received by the Department of Human Services and money collected under  
10 § 1-36A-15 shall be deposited in the fund. Any money in the fund is continuously appropriated  
11 to the department for expenses incurred in the certification of interpreters for the deaf and may  
12 be expended by the secretary of human services. The compensation and expenses of the  
13 interpreter review panel shall be paid from the fees received under the provisions of § 1-36A-15.  
14 ~~The department may require any applicant who is taking a nationally administered examination~~  
15 ~~to remit the portion of the certification fee covering the cost of the examination directly to the~~  
16 ~~organization administering the examination.~~

17 Section 4. That § 1-36A-15 be amended to read as follows:

18 1-36A-15. The Department of Human Services shall promulgate rules pursuant to chapter  
19 1-26 to establish the following nonrefundable fees for certification:

- 20 (1) For initial ~~or provisional~~ certification by examination or endorsement, not more than  
21 three hundred twenty-five dollars;
- 22 (2) For reexamination, not more than the amount required for initial certification by  
23 examination or endorsement;
- 24 (3) For renewal of certificate, not more than thirty-five dollars;

1       (4)    For effecting a name change upon the records of a certificate holder, not more than  
2            ten dollars;

3       (5)    For reinstatement of a lapsed certificate, the current fee for initial certification by  
4            examination or endorsement; and

5       (6)    For issuing a duplicate certificate, not more than ten dollars.

6       Section 5. That § 1-36A-19 be amended to read as follows:

7       1-36A-19. Any interpreter for the deaf receiving remuneration for services in any  
8       interpreting situation ~~shall participate in a review panel's evaluation and satisfactorily achieve~~  
9       ~~certification within one year of registration pursuant to § 1-36A-11~~ shall be certified pursuant  
10      to this chapter. A violation of this section is a Class 2 misdemeanor.